



Environmental Fact Sheet

Standards Issued for Nonmunicipal Solid Waste Units that Receive CESQG Hazardous Waste

To fulfill its statutory mandate, the Environmental Protection Agency (EPA) is issuing regulations for nonmunicipal, nonhazardous waste disposal units that may receive hazardous waste from conditionally exempt small quantity generators (CESQG). Because these facilities pose comparatively small risks, EPA is imposing requirements that are adequately protective of human health and the environment, but less costly.

Background

Section 4010(c) of the Resource Conservation and Recovery Act (RCRA) requires EPA to revise the existing Part 257 standards for nonhazardous waste disposal facilities that may receive CESQG or household hazardous waste. EPA has issued Criteria (Part 258) that apply to municipal solid waste landfills (MSWLFs) that receive household hazardous waste and CESQG waste. These Part 258 Criteria do not apply to nonmunicipal, nonhazardous waste disposal units that do not receive household hazardous waste.

EPA elected to regulate municipal solid waste landfills first because they present higher environmental risks than nonmunicipal, nonhazardous waste disposal units that receive CESQG waste. Although nonmunicipal, nonhazardous units pose comparatively small risks, the Agency is taking regulatory action to satisfy the statutory mandate of RCRA Section 4010(c).

Action

EPA is issuing regulations that require any existing nonmunicipal, nonhazardous waste disposal unit that receives CESQG waste to comply with new technical standards. Units that receive CESQG hazardous waste will be subject to location restrictions, ground-water monitoring requirements, and corrective action standards under Section 257.5-257.30. This rule will continue to allow disposal of CESQG hazardous waste in MSWLFs when such landfills meet Part 258 Criteria. Reuse or recycling facilities also continue to be an acceptable option for managing CESQG hazardous waste.

Generally, three types of facilities that may receive CESQG waste may be affected by this rule:

- **Off-site commercial industrial units**, which generally are stringently designed and monitored; so it is likely that they already meet these requirements.
- **Industrial units that may be co-disposing of CESQG waste with industrial, nonhazardous waste on-site**, which are apt to discontinue this practice due to the potential cost. These facilities are likely to send their CESQG waste to an appropriate off-site unit.
- **Construction and demolition waste units that receive CESQG hazardous waste** are the class of units most affected by this rule. These facilities will have to comply with the new technical standards in Sections 257.5-257.30, if they receive any CESQG wastes.

This regulation uses the Municipal Solid Waste Landfill Criteria (Part 258) as a baseline for the technical standards. The Criteria are standards which provide adequate environmental protection, and which can be applied at nonmunicipal, nonhazardous waste disposal units that receive CESQG waste. They incorporate substantial flexibility for EPA-approved states to allow owners/operators to meet the performance standards on a site-specific basis.

For More Information

The *Federal Register* notice and this fact sheet are available in electronic format on the Internet System through the EPA Public Access Server. For additional information or to order paper copies of the *Federal Register* notice, call the RCRA Hotline. Callers within the Washington Metropolitan Area must dial 703-412-9810 or TDD 703-412-3323 (hearing impaired). Long-distance callers may call 1-800-424-9346 or TDD 1-800-553-7672. The RCRA Hotline is open Monday-Friday, 9:00 a.m. to 6:00 p.m., Eastern Standard Time. Write to the RCRA Information Center (5305W), US EPA, 401 M Street, SW, Washington, DC 20460.